

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARINO RODERIQUEZ,

Petitioner,

v.

VINCENT MOONEY, et al.

Defendants.

CIVIL ACTION  
NO. 17-4294

**ORDER**

FILED  
JAN 22 2019  
KATE B. WILKINSON, Clerk  
By \_\_\_\_\_ Dep. Clerk

**AND NOW**, this 22nd day of January 2019, upon consideration of the petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, and the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey, it is **ORDERED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**.
2. A Certificate of Appealability **SHALL NOT** issue because a reasonable jurist could not conclude that the Court is incorrect in denying and dismissing the Motion. 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473 (2000).
3. The Clerk of Court shall close this case for statistical purposes.

BY THE COURT:

  
JOEL H. SLOMSKY, J.